



Virginia Board of Education

Overview

The Standards of Quality: Virginia's Foundation Program for Public Education

**Division of Policy & Communications
April 26, 2006**



Constitutional and Statutory Authority

- The Constitution of Virginia states that the Commonwealth “shall seek to ensure that an educational program of high quality is established and continually maintained.”
- The Constitution also requires that the Standards of Quality (SOQ) be “determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly.”
- Section 22.1-18.01 of the Code of Virginia requires the Board to review the standards every other year and either propose amendments or make a determination that no changes are necessary.



Eight Standards of Quality

1. Instructional programs supporting the Standards of Learning and other educational objectives;
2. Instructional, administrative, and support personnel;
3. Accreditation, other standards and evaluation;
4. Student achievement and graduation requirements;
5. Quality of classroom instruction and educational leadership;
6. Planning and public involvement;
7. School board policies; and
8. Compliance.



Board of Education's Changes to the SOQ

The Board has made recommendations to address:

- Additional staffing needs;
- Prevention and intervention, as well as remediation;
- Effective use of technology, and integrating technology into the instructional program;
- Use of data in decision making;
- Emphasis on professional development for instructional personnel;
- Assistance to low-performing schools and school divisions;
- Increased emphasis on accountability; and
- Technical and editorial changes needed for clarity.



Standard One: Instructional Programs

- Requires the Board of Education to establish educational objectives in all subjects, known as the Standards of Learning (SOL);
- Requires local school boards to implement a program of instruction that meets or exceeds the requirements of the Board of Education;
- Sets out the areas of instruction that must be emphasized by local school divisions, including reading, writing, mathematics, science, history, geography, government, economics, foreign languages, health and physical education, fine arts, and practical arts;



Standard One: Instructional Programs

- Sets out the programs that must be implemented by local school divisions, including special education, career and technical education, gifted education, and programs for students with limited English proficiency;
- Requires local school boards to adopt a curriculum aligned to the Standards of Learning; * and
- Requires local school boards to collect and analyze data, and use the results to evaluate and make decisions about instructional programs.*

*Board of Education recommendation



Standard Two: Staffing

- Requires local school boards to employ licensed instructional personnel qualified in relevant subject areas;
- Sets divisionwide ratios of students to teachers for elementary, middle, and high school;
- Sets maximum class sizes for kindergarten through grade six;
- Requires local school boards to provide support services;
- Sets minimum staffing requirements for principals, assistant principals, librarians, guidance counselors, and clerical personnel;



Standard Two: Staffing

- Requires that all middle and high school teachers be provided with one planning period per day or the equivalent;*
- Sets minimum staffing requirements for students identified as having limited English proficiency and students who need prevention, intervention and remediation;*
- Sets requirements for staffing positions for technology;*
- and
- Sets the number of positions in grades K-5 to serve as elementary resource teachers in art, music, and physical education.*

*Board of Education recommendation



Changes Recommended by the Board Not Funded by the General Assembly

- One full-time instructional position for each 1,000 students to serve as a reading specialist;
- One full-time principal in each elementary school (the SOQ currently requires one half-time principal for elementary schools with fewer than 300 students);
- One full-time assistant principal for each 400 students in each school; and
- Reduction of the speech language pathologist caseload.



Standard Three: Accreditation

- Requires the Board to establish Standards of Accreditation;
- Requires full accreditation of all schools within a school division;*
- Requires local school boards to review the accreditation status of all schools annually in public session;
- Establishes the academic review process, and sets the requirements for corrective action plans for any schools that have been rated Accredited with Warning;*
- Establishes the division-level academic review, and sets requirements for corrective action plans for school divisions that have undergone a division-level academic review;*

*Board of Education recommendation



Standard Three: Accreditation

- Requires the Board to prescribe end-of-course and end-of-grade Standards of Learning assessments for English, mathematics, science, and history and social science;
- Authorizes the Board to pursue all civil remedies for breaches in test security and unauthorized alteration of test materials or test results;
- Requires local school boards to use Standards of Learning assessments and other relevant data to evaluate student progress and determine educational performance;* and
- Provides for the Board to prescribe requirements for the School Performance Report Card.

*Board of Education recommendation



Standard Four: Student Achievement

- Specifies that the Board of Education establishes graduation requirements, the units of credit to be earned, and the assessments to be passed;
- Requires reasonable accommodations for students with disabilities to meet the requirements to be awarded a diploma;
- Provides for the establishment of Standard, Advanced Studies, Modified Standard, and Special Diplomas, as well as Certificates of Program Completion;
- Provides for the Board to approve substitute tests; and
- Provides for the award of verified credits for passing scores on industry certifications, state licensure examinations, and national occupational competency assessments approved by the Board.



Standard Five: Educational Leadership

- Sets requirements for teacher, administrator, and superintendent evaluations;*
- Prescribes professional development requirements for local school board members and superintendents;
- Requires local school boards to provide a program of high quality professional development to instructional personnel in instructional content;*
- Requires all instructional personnel to participate in professional development programs every year;*

*Board of Education recommendation



Standard Five: Educational Leadership

- Requires the inclusion of high-quality professional development programs in schools' and school divisions' comprehensive plans; and
- Requires each local school board to review its professional development program annually.*

*Board of Education recommendation



Standard Six: Planning & Public Involvement

- Sets standards for statewide and divisionwide comprehensive, unified, long-range plans;
- Requires that the comprehensive plans be developed with staff and community involvement;
- Requires the Board of Education and local school boards to report to the public the extent to which the objectives of the plan have been met;
- Requires each school to prepare its own comprehensive plan;



Standard Six: Planning & Public Involvement

- Requires that the plans be based on data collection, analysis, and evaluation;*
- Requires the plans to include strategies for improving student achievement;*
- Requires that local school divisions' plans are consistent with all other divisionwide plans required by law and regulations;* and
- Requires the local school divisions' plans to include provisions for parent and family involvement.*

*Board of Education recommendation



Standard Seven: School Board Policies

- Requires each school board to maintain and follow an up-to-date policy manual that is made available to the public;
- Prescribes the components of the policy manual and requires that it be developed giving consideration to the views of teachers, parents, and other concerned citizens;
- Requires local school boards to provide notice annually of the availability of the policy manual, and to ensure that copies are available for review.



Standard Eight: Compliance

- Requires local school boards to provide, as a minimum, the programs and services, set forth in the SOQ, with state and local funds as apportioned by the General Assembly;
- Requires each local school board to report its compliance with the SOQ to the Board annually;*
- Requires the Board to identify, in its report to the Governor and General Assembly, any school divisions that failed to meet the SOQ;* and
- Authorizes the Board to enforce compliance with the SOQ.

*Board of Education recommendation



Potential Issues to Consider

Previously recommended by the Board but not funded by the General Assembly:

- Full-time principals in each elementary school;
- Additional assistant principals;
- Reading specialists; and
- Reduction in speech language pathologist caseloads.

Recommendations from public comment:

- Mathematics specialists;
- Library-media specialists;
- Data analysis and assessment/instructional support;
- School nurses; and
- Other staffing considerations.



Work Plan

- April 2006 – Begin SOQ review
- May 2006 – Educational organizations present recommendations
- July 2006 – First review of proposed legislation of SOQ changes; public comment begins
- September 2006 – Public hearings
- November 2006 – Final review of the proposed legislation
- December 2006 – Pre-file legislation on behalf of the Board

STANDARDS OF QUALITY

VIRGINIA'S FOUNDATION PROGRAM FOR PUBLIC EDUCATION

Division of Policy & Communications

April 26, 2006

Table of Contents

- I. Introduction
- II. 2006 Standards of Quality
- III. Detailed Description of the Standards of Quality
- IV. Previous Board of Education and General Assembly Action
- V. Superintendent's Memorandum No. 12, Administrative, March 24, 2006
- VI. Workplan

INTRODUCTION

The Standards of Quality (SOQ), codified at § 22.1-253.13:1 et seq. of the Code of Virginia, establish the foundation of the educational policy for our public schools. The SOQ prescribe broad policies and goals as a means of setting out what is minimally required to provide for a system of free public elementary and secondary schools for school age children throughout the Commonwealth and to seek to ensure that an educational program of high quality is established and continually maintained.

In 1971, the Board of Education adopted the first Standards of Quality. They were revised by the General Assembly in 1972 and adopted as uncodified Acts of Assembly. In 1974, they were revised into eight standards. The standards were first codified in 1984, and in 1988 they were arranged into their current format.

CONSTITUTIONAL AND STATUTORY AUTHORITY

Pursuant to the Constitution of Virginia, the Board of Education has primary responsibility for determining the Standards of Quality (SOQ). Specifically, Article VIII, Section 2, of the Constitution of Virginia states in part:

Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly.

The Virginia Constitution further requires that the Board make annual reports to the Governor and the General Assembly concerning the condition and needs of public education in the Commonwealth (See: Article VII, Section 5). In that report, the Board is also charged with identifying any school divisions, as well as the specific schools, that have failed to establish and maintain schools meeting the prescribed standards of quality.

The General Assembly codified the annual report requirement, at § 22.1-18 of the Code of Virginia and has mandated that the Board's report include a complete listing of the current standards of quality together with a justification for each particular standard, how long each standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

Section 22.1-18.01, as amended by the 2006 General Assembly and effective July 1, 2006, requires that:

To ensure the integrity of the standards of quality, the Board of Education shall, in even-numbered years, exercise its constitutional authority to determine and prescribe the standards, subject to revision only by the General Assembly, by reviewing the standards and either (i) proposing amendments to the standards or (ii) making a determination that no changes are necessary.

BYLAWS OF THE BOARD OF EDUCATION

Article Fifteen of the Bylaws of the Board of Education, as amended on October 20, 2001, require the Board and its standing committee to determine the need for a review of the Standards of Quality from time to time but no less than once every two years. The bylaws require the Board to establish, by resolution, the process for such review. The Board shall consider making changes, if any, to the Standards of Quality based upon that review.

ROLE AND PURPOSE OF THE STANDING COMMITTEE ON THE SOQ

At its meeting on November 27, 2001, the Board of Education began the development and implementation of a process for completing the analysis of the condition and needs of public education and then utilize that analysis to form the basis of determining whether a review of the Standards of Quality, with the intent to revise, is necessary.

The Standing Committee on the SOQ was established by the Board of Education Resolution Number 2001-40, adopted on November 27, 2001. The resolution specifies that the Standing Committee on the SOQ is charged with the following duties:

- Determining the information to be reviewed to determine the condition and needs of public education;
- Determining the process to be used to complete this comprehensive review;
- Establishing a timeline that anticipates a report to the full Board followed by a review and revision of the Standards of Quality, if appropriate; and
- Developing the format to be utilized for the annual report.

2002-2003 SOQ REVIEW

Following the Joint Legislative Audit and Review Commission's (JLARC) *Review of Elementary and Secondary School Funding*, the 2002 General Assembly passed several bills directing the board to make recommendations to review the Standards of Quality.

The Standards of Quality Standing Committee, created in November 2001, held its first meeting in January 2002. Over 18 months, the board conducted a comprehensive review of the standards which included extensive public comment. Public hearings were held in April and May 2002 in 10 locations throughout the state. In May 2002, the SOQ committee held a two-day public forum in Richmond to hear directly from the leaders of 12 organizations whose memberships are statewide and included every major education constituent group. In June 2002, the SOQ committee met in Fairfax with directors of programs for students with limited English proficiency.

The SOQ committee held committee meetings in August, September, and November 2002 and February, March, and April 2003 in Richmond City, Charlottesville City, and Fairfax County. The full Board of Education held work sessions devoted to this topic on April 30 and May 12, 2003. At the May 2003 meeting, the board requested public

comment on the proposed revisions. Four public hearings were held on June 10, 2003, and almost 200 comments were received. In recognition of budgetary constraints, the board approved a motion at its May 28, 2003, meeting recommending that the SOQ proposals be phased in by the Governor and the General Assembly over no more than two biennia.

ACTIONS OF THE 2004 GENERAL ASSEMBLY

The 2004 General Assembly passed the legislation recommended by the Board. The budget approved by the General Assembly included funding for elementary resource teachers; technology positions; a planning period for secondary (i.e., middle and high school) teachers; and establishing a funding formula for the prevention, intervention, and remediation program proposed by the Board of Education. In addition, the budget provided funding to increase the number of teachers in the English as a Second Language program proposed by the Governor.

The General Assembly did not recommend funding for four of the Board's proposals. These included one full-time principal in each elementary school; one full-time assistant principal for each 400 students in each school; reduction of the state-required speech language pathologist caseload from 68 to 60 students; and one full-time reading specialist for each 1,000 students.

2004 SOQ REVIEW

The Board began considering further changes to the SOQ at the April 28, 2004, annual planning session. Subsequently, the Board's Standing Committee held two work sessions on May 24 and June 22, 2004. The committee held a forum on July 20, 2004, and invited the Virginia Association of School Superintendents, Virginia School Boards Association, Virginia Association for Supervision and Curriculum Development, Virginia Education Association, Virginia Association of Secondary School Principals, Virginia Association of Elementary School Principals, Virginia CARES, Virginia Education Coalition, Virginia Association of Counties, Virginia Municipal League, and Virginia Congress of Parents and Teachers. The Board then opened the Standards of Quality to public comment.

The Board held four public hearings on October 13 and 14 in Suffolk City, Fairfax County, Goochland County, and Wythe County. A total of 19 people spoke at the public hearings, and 26 people submitted written comments.

ACTIONS OF THE 2005 GENERAL ASSEMBLY

The 2005 General Assembly passed the legislation recommended by the Board. It revised the SOQ to require that:

- the curriculum adopted by the Board is aligned to the Standards of Learning;

- local school boards develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning, and meets or exceeds the requirements of the Board of Education;
- local school boards collect and analyze data, and use the results to evaluate and make decisions about instructional programs;
- the language in the SOQ comports with the language in the 2004 Appropriation Act that required state funding to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency;
- the provisions regarding elementary resource teachers in art, music and physical education require full-time equivalent positions;
- the provisions regarding technology personnel require full-time equivalent positions;
- local school boards report the results of all school academic reviews and the required annual progress reports in public session;
- local school boards implement any actions identified through the academic review and utilize them for improvement planning;
- local school boards require the use of data to evaluate student progress and determine and recognize educational performance;
- each local school division superintendent regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion;
- each local school board analyze and report annually the results from students' industry certification examinations;
- teacher evaluation reports are based on regular observation of the teacher in the classroom;
- teacher evaluations are based, in part, on evidence that instruction is aligned with the school division's written curriculum and include identification of appropriate professional development tailored to each individual teacher's instructional needs;
- local school boards require their members to participate annually in high-quality professional development;
- local school boards provide teachers and principals with high-quality professional development programs each year in instructional content;
- local school boards require all instructional personnel to participate each year in these high-quality professional development programs;
- local school boards annually review their professional development programs for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division;
- the Board of Education's statewide comprehensive, unified, long-range plan is based on data collection, analysis, and evaluation;
- the Board's plan include strategies for improving and then maintaining high levels of student achievement;
- each local school board's division wide comprehensive, unified, long-range plan is based on data collection, analysis, and evaluation;

- each local school board's plan include, or is consistent with, all other division wide plans required by state and federal laws and regulations;
- each local school board's plan include strategies for improving and then maintaining high levels of student achievement;
- each local school board's plan include provisions for parent and family involvement;
- each local school board report its compliance with the SOQ to the Board annually, submitted by the chairman of the local school board and the division superintendent; and
- noncompliance with the SOQ is included in the Board's annual report to the Governor and the General Assembly.

2005 SOQ REVIEW

At their meeting on October 26, 2005, the Board of Education passed a motion made by Dr. Jones to endorse the SOQ revisions recommended by the Board in 2003, but not funded by the General Assembly, and to ask the General Assembly for the funding. The recommendations for the full-time principal in each elementary school, the full-time assistant principal for each 400 students in each school, the reduced speech-language pathologist caseload and the full-time reading specialist for each 1,000 students were resubmitted as budget items.

ACTIONS OF THE 2006 GENERAL ASSEMBLY

The General Assembly has not funded the four recommendations as requested. However, it did pass six bills affecting the SOQ.

HB 348 and SB 39 authorize the Board of Education to initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of tests.

HB 813 permits the Board to adopt special provisions related to the administration and use of any Standards of Learning test or tests in a content area as applied to accreditation ratings for any period during which the Standards of Learning content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board is required to provide notice to local school boards regarding such special provisions.

HB 1059 and SB 34 require the Board to make assessments publicly available in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not limit the ability to test students on demand and provide immediate results in the Web-based assessment system.

HB 19 directs the Board to collect, analyze, and report high school graduation and dropout rates using a standardized formula prescribed by the Board.

2006 STANDARDS OF QUALITY

§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board of Education believe that the fundamental goal of the public schools of this Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of Education find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.

B. The Board of Education shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § [2.2-4001](#).

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning including problem solving and decision making; proficiency in the use of computers and related technology; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade three shall be based on components of effective reading instruction, to include, at a minimum, phonemic awareness, phonics, fluency, vocabulary development, and text comprehension.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board of Education shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department of Education shall make available and maintain a website, either separately or through an existing website utilized by the Department of Education, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board of Education shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" shall include consideration of disability, ethnicity, race, and gender.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education and employment or to qualify for appropriate training; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation.

Any student who passes one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails all four of the Standards of Learning assessments for the relevant grade level in grades three through eight shall be required to attend a summer school program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § [22.1-254](#) and § [22.1-254.01](#).

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board of Education shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § [22.1-199.2](#).

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.
2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school.
3. Career and technical education programs incorporated into the K through 12 curricula that include:
 - a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
 - b. Career exploration opportunities in the middle school grades; and
 - c. Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.
4. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.
5. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.
6. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.
7. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.
8. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.
9. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and

programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.

10. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.

11. Early identification, diagnosis, and assistance for students with reading problems and provision of instructional strategies and reading practices that benefit the development of reading skills for all students.

12. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

13. A program of student services for grades kindergarten through 12 that shall be designed to aid students in their educational, social, and career development.

14. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

(1988, cc. 645, 682; 1990, cc. 797, 820, 839; 1991, cc. 295, 304; 1992, cc. 132, 591; 1994, cc. 618, 790; 1996, cc. 163, 522; 1997, cc. 466, 828, 829; 1998, cc. 103, 602, 627, 800, 816, 902; 1999, cc. 377, 444, 445, 452, 461, 488, 552, 595, 994; 2000, cc. 504, 547, 653, 662, 677, 684, 710, 750, 867; 2001, c. 483; 2002, c. 837; 2003, cc. 690, 697, 714, 861; 2004, cc. 404, 848, 939, 955; 2005, cc. 331, 450.)

§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with mental retardation that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act. Calculations of kindergarten positions shall be based on full-day kindergarten programs. Beginning with the March 31 report of average daily membership, those school divisions offering half-day kindergarten with pupil/teacher ratios that exceed 30 to one shall adjust their average daily membership for kindergarten to reflect 85 percent of the total kindergarten average daily memberships, as provided in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ the following reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board.

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to the type of school and student enrollment:

1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time, to be employed on a 12-month basis;
 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students;
 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students;
 4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof; and
 5. Clerical personnel in elementary schools, part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students.
- I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.
- J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for guidance counselors, and shall be based on the school's total enrollment; guidance counselor staff requirements shall, however, be based on the enrollment at the various school organization levels, i.e., elementary, middle, or high school. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before January 1, report to the public the actual pupil/teacher ratios in elementary school classrooms by school for the current school year. Such actual ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § [22.1-254.1](#), and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services" shall include services provided by the school board members; the superintendent; assistant superintendents; student services (including guidance counselors, social workers, and homebound, improvement, principal's office, and library-media positions); attendance and health positions; administrative, technical, and clerical positions; operation and maintenance positions; educational technology positions; school nurses; and pupil transportation positions.

Pursuant to the appropriation act, support services shall be funded from basic school aid on the basis of prevailing statewide costs.

(1988, cc. 645, 682; 1991, c. 480; 1997, c. 828; 2004, cc. 939, 955; 2005, cc. 331, 450.)

§ 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation.

A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ [2.2-4000](#) et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

The Board shall review annually the accreditation status of all schools in the Commonwealth.

Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board.

When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § [22.1-253.13:6](#).

With such funds as are appropriated or otherwise received for this purpose, the Board shall adopt and implement an academic review process, to be conducted by the Department of Education, to assist schools that are accredited with warning. The Department shall forward a report of each academic review to the relevant local school board, and such school board shall report the results of such academic review and the required annual progress reports in public session. The local school board shall implement any actions identified through the academic review and utilize them for improvement planning.

B. The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. The Superintendent of Public Instruction shall annually identify to the Board those school divisions and schools that exceed or do not meet the approved

criteria. Such identification shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent of Public Instruction shall assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and report to the Board of Education on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board of Education shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall (i) in consultation with the chairpersons of the eight regional superintendents' study groups, establish a timetable for administering the Standards of Learning assessments to ensure genuine end-of-course and end-of-grade testing and (ii) with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments.

In prescribing such Standards of Learning assessments, the Board shall provide local school boards the option of administering tests for United States History to 1877, United States History: 1877 to the Present, and Civics and Economics. The Board of Education shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, *or limit the ability to test students on demand and provide immediate results in the web-based assessment system.*¹

The Board shall include in the student outcome measures that are required by the Standards of Accreditation end-of-course or end-of-grade tests for various grade levels and classes, as determined by the Board, in accordance with the Standards of Learning. These Standards of Learning assessments shall include, but need not be limited to, end-of-course or end-of-grade tests for English, mathematics, science, and history and social science.

In addition, to assess the educational progress of students, the Board of Education shall (i) develop appropriate assessments, which may include criterion-referenced tests and alternative assessment instruments that may be used by classroom teachers and (ii)

¹ [HB 1059](#) and [SB 34](#), passed by the 2006 General Assembly and signed by the Governor.

prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.

The Standard of Learning requirements, including all related assessments, shall be waived for any student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to § [30-231.2](#), who is enrolled in a preparation program for the General Education Development (GED) certificate or in an adult basic education program to obtain the high school diploma.

*The Board of Education may adopt special provisions related to the administration and use of any SOL test or tests in a content area as applied to accreditation ratings for any period during which the SOL content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board of Education shall provide notice to local school boards regarding such provisions.*²

D. The Board of Education is ~~authorized to~~ may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test results.

The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests.

*Records and any other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 12 of § 22.1-2705.3. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regarding to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identify of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.*³

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board of Education may provide, through an agreement with vendors having the technical capacity and expertise to provide

² [HB 813](#), passed by the 2006 General Assembly and signed by the Governor.

³ [HB 348](#) and [SB 39](#), passed by the 2006 General Assembly and signed by the Governor.

computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments and other relevant data to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to all students for grade levels and courses identified by the Board of Education, which may include criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the Standards of Learning Assessments and the National Assessment of Educational Progress state-by-state assessment. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, if administered, industry certification examinations, and the Standards of Learning Assessments to the public.

The Board of Education shall not require administration of the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the requirements for home instruction pursuant to § [22.1-254.1](#).

The Board shall include requirements for the reporting of the Standards of Learning assessment scores and averages for each year as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by gender and by race or ethnicity, and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department of Education's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

G. Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § [22.1-18](#).

(1988, cc. 645, 682; 1990, cc. 820, 839; 1992, c. 591; 1998, cc. 456, 567, 602, 627, 843, 902; 1999, cc. 670, 731, 1015; 2000, cc. 504, 735, 742, 750, 752, 867, 1061; 2001, cc. 651, 731; 2002, cc. 101, 167, 656, 732; 2003, cc. 691, 1004; 2004, cc. 472, 939, 955, 965; 2005, cc. 331, 450, 753, 834.)

§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made for students who transfer between secondary schools and from nonpublic schools or from home instruction as outlined in the standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-à-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

Each local school board shall notify the parent of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation pursuant to the standards of accreditation and (ii) the remaining number of such units of credit the individual student requires for graduation.

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the requirements for graduation of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ [22.1-213](#) et seq.) of Chapter 13 of this title.

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates of program completion by local school boards if they are not eligible to receive a standard, advanced studies, modified standard, or general achievement diploma.

Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ [22.1-1](#) et seq.) of this title, to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § [22.1-5](#).

D. In establishing course and credit requirements for a high school diploma, the Board shall:

1. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation credit requirements, which shall include Standards of Learning testing, as necessary;
2. Establish the requirements for a standard, modified standard, or advanced studies high school diploma, which shall include one credit in fine, performing, or practical arts and one credit in United States and Virginia history. The requirements for a standard high school diploma shall, however, include at least two sequential electives chosen from a concentration of courses selected from a variety of options that may be planned to ensure the completion of a focused sequence of elective courses. Students may take such focused sequence of elective courses in consecutive years or any two years of high school. Such focused sequence of elective courses shall provide a foundation for further education or training or preparation for employment and shall be developed by the school division, consistent with Board of Education guidelines and as approved by the local school board;
3. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or advanced studies diploma, that students completing elective classes into which the Standards of Learning for any required course have been integrated may take the relevant Standards of Learning test for the relevant required course and receive, upon achieving a satisfactory score on the specific Standards of Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the Board's requirement for verified credit for the required course;
4. Establish a procedure to facilitate the acceleration of students that allows qualified students, with the recommendation of the division superintendent, without completing the 140-hour class, to obtain credit for such class upon demonstration of mastery of the course content and objectives. Having received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning assessment and, upon receiving a passing score, shall earn a verified credit. Nothing in this section shall preclude relevant school division personnel from enforcing compulsory attendance in public schools; and
5. Provide for the award of verified units of credit for passing scores on industry certifications, state licensure examinations, and national occupational competency assessments approved by the Board of Education.

School boards shall report annually to the Board of Education the number of industry certifications obtained and state licensure examinations passed, and the number shall be reported as a category on the School Performance Report Card.

In addition, the Board may:

- a. For the purpose of awarding verified units of credit, approve the use of additional or substitute tests for the correlated Standards of Learning assessment, such as academic achievement tests, industry certifications or state licensure examinations; and
- b. Permit students completing career and technical education programs designed to enable such students to pass such industry certification examinations or state licensure examinations to be awarded, upon obtaining satisfactory scores on such industry certification or licensure examinations, the appropriate verified units of credit for one or

more career and technical education classes into which relevant Standards of Learning for various classes taught at the same level have been integrated. Such industry certification and state licensure examinations may cover relevant Standards of Learning for various required classes and may, at the discretion of the Board, address some Standards of Learning for several required classes.

E. In the exercise of its authority to recognize exemplary academic performance by providing for diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in career and technical education programs by students who have completed the requirements for a standard or advanced studies diploma and shall award seals on the diplomas of students meeting such criteria.

In addition, the Board shall establish criteria for awarding a diploma seal for advanced mathematics and technology for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) technology courses; (ii) technical writing, reading, and oral communication skills; (iii) technology-related practical arts training; and (iv) industry, professional, and trade association national certifications.

The Board shall also establish criteria for awarding a diploma seal for excellence in civics education and understanding of our state and federal constitutions and the democratic model of government for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) successful completion of history, government, and civics courses, including courses that incorporate character education; (ii) voluntary participation in community service or extracurricular activities; and (iii) related requirements as it deems appropriate.

F. The Board shall establish, by regulation, requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; (ii) successfully completed an education and training program designated by the Board of Education; and (iii) satisfied other requirements as may be established by the Board for the award of such diploma.

G. To ensure the uniform assessment of high school graduation rates, the Board shall collect, analyze, and report high school graduation and dropout data using a formula prescribed by the Board

The Board may promulgate such regulations as may be necessary and appropriation for the collection, analysis, and reporting of such data.

2. That the Board of Education shall report to the House Committee on Education and the Senate Committee on Education and Health by December 1, 2006, on the formula to be used for the uniform assessment of high school graduation rates. In developing the formula, the Board of Education shall consider the 2005 Report of the National Governors Association Task Force on State High School Graduation Data.

3. That the provisions of the first enactment clause of this act shall take effect October 1, 2008.⁴

⁴ [HB 19](#), passed by the 2006 General Assembly and signed by the Governor.

§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.

A. Each member of the Board of Education shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, administrator, and superintendent evaluations shall be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities.

C. The Board of Education shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents and other school staff; (ii) administrative and supervisory personnel in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; and (iv) programs in Braille for teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its comprehensive plan for educational technology.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; curriculum and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state or national levels.

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education; (iii) in educational

technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula, and (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, each local school board shall also provide teachers and principals with high-quality professional development programs each year in (i) instructional content; (ii) the preparation of tests and other assessment measures; (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (iv) instruction and remediation techniques in English, mathematics, science, and history and social science; (v) interpreting test data for instructional purposes; and (vi) technology applications to implement the Standards of Learning.

F. Schools and school divisions shall include as an integral component of their comprehensive plans required by § [22.1-253.13:6](#), high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these professional development programs.

G. Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

(1988, cc. 645, 682; 1990, cc. 820, 839; 1992, c. 132; 1997, c. 827; 1998, cc. 826, 852; 1999, cc. 830, 1030, 1037; 2000, c. 867; 2004, cc. 939, 955; 2005, cc. 331, 450.)

§ 22.1-253.13:6. Standard 6. Planning and public involvement.

A. The Board of Education shall adopt a statewide comprehensive, unified, long-range plan based on data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department of Education's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia, including strategies for improving student achievement then maintaining high levels of student achievement; an assessment of the extent to which these objectives are being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the Commonwealth. In the annual report required by § [22.1-18](#), the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the comprehensive plan for educational technology and may require the revision of such plan as it deems necessary.

B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan shall be developed with staff and community involvement and shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of any divisionwide comprehensive plan or revisions thereto, each local school board shall post such plan or revisions on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit public comment on the divisionwide plan or revisions.

The divisionwide comprehensive plan shall include, but shall not be limited to, (i) the objectives of the school division, including strategies for improving student achievement then maintaining high levels of student achievement; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations; (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan for implementing such regional programs and services when appropriate; (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the school division's career and technical education programs, consistent with, or as a part of, the

comprehensive technology plan for Virginia adopted by the Board of Education; (viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan; (ix) any corrective action plan required pursuant to § [22.1-253.13:3](#); and (x) a plan for parent and family involvement to include building successful school and parent partnerships that shall be developed with staff and community involvement, including participation by parents.

A report shall be presented by each school board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have been met during the previous two school years.

C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the relevant school board shall consider in the development of its divisionwide comprehensive plan.

D. The Board of Education shall, in a timely manner, make available to local school boards information about where current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the Attorney General of Virginia may be located online.

(1988, cc. 645, 682; 1990, cc. 820, 839; 1992, c. 591; 1998, c. 106; 2000, c. 867; 2001, c. 484; 2004, cc. 939, 955, 965; 2005, cc. 331, 450.)

§ 22.1-253.13:7. Standard 7. School board policies.

A. Each local school board shall maintain and follow up-to-date policies. All school board policies shall be reviewed at least every five years and revised as needed.

B. Each local school board shall ensure that policies developed giving consideration to the views of teachers, parents, and other concerned citizens and addressing the following:

1. A system of two-way communication between employees and the local school board and its administrative staff whereby matters of concern can be discussed in an orderly and constructive manner;
2. The selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials;
3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights;
4. School-community communications and community involvement;
5. Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for the parents of children in grades K through three;
6. Information about procedures for addressing concerns with the school division and recourse available to parents pursuant to § [22.1-87](#);
7. A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated; and
8. Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board of Education, as provided in Article 3 (§ [22.1-306](#) et seq.) of Chapter 15 of this title, and the maintenance of copies of such procedures.

A current copy of the school division policies shall be kept in the library of each school and in any public library in that division and shall be available to employees and to the public. If such policies are maintained online, school boards shall ensure that printed copies of such policies are available to citizens who do not have online access.

C. An annual announcement shall be made in each division at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that the policies are available in such places.

(1988, cc. 645, 682, 754; 1990, c. 291; 1992, c. 591; 2004, cc. 939, 955.)

§ 22.1-253.13:8. Compliance.

The Standards of Quality prescribed in this chapter shall be the only standards of quality required by Article VIII, Section 2 of the Constitution of Virginia.

Each local school board shall provide, as a minimum, the programs and services, as provided in the Standards of Quality prescribed above, with state and local funds as apportioned by the General Assembly in the appropriation act and to the extent funding is provided by the General Assembly.

Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.

Noncompliance with the Standards of Quality shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § [22.1-18](#).

As required by § [22.1-18](#), the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein that have failed to establish and maintain schools meeting the existing prescribed Standards of Quality.

The Board of Education shall have authority to seek school division compliance with the foregoing Standards of Quality. When the Board of Education determines that a school division has failed or refused, and continues to fail or refuse, to comply with any such Standard, the Board may petition the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with such standard, including the development or implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.

(1988, cc. 645, 682; 1990, cc. 820, 839; 2004, cc. 939, 955, 965; 2005, cc. 331, 450.)

DETAILED DESCRIPTION OF THE STANDARDS OF QUALITY

STANDARD ONE – Instructional programs supporting the Standards of Learning and other educational objectives.

- The Board of Education shall establish educational objectives in all subjects, known as the Standards of Learning (SOL).
- School boards must implement SOL objectives or the equivalent or standards that exceed the Board's requirements. Objectives would be achieved by students at appropriate age and grade levels.
- Local programs of instruction emphasize:
 - Reading, writing, speaking
 - Mathematics
 - Technology
 - Scientific concepts and processes
 - Citizenship, history, economics, government, foreign languages, and international cultures
 - Health and physical education
 - Environmental issues
 - Geography
 - Fine arts and practical arts
- Local school boards must provide programs of prevention, intervention, and remediation for students at risk.
- School boards must implement:
 - Developmentally-appropriate K-3 programs that enhance success
 - Programs to increase the number of graduates and decrease the number of dropouts
 - Career education and exploration programs
 - Career and technical education programs
 - Early identification of students with disabilities, gifted students, and students with reading problems
 - Adult education programs
 - Achievement plans for educationally at-risk students
 - Notification process for advanced placements, International Baccalaureate programs, and Governor's school programs
 - Processes for identifying and serving limited English proficient (LEP) students
 - Incorporation of art, music, and physical education at the elementary level
 - Data collection and analysis

STANDARD TWO - Instructional, administrative, and support personnel.

- School boards must employ licensed instructional personnel qualified in relevant subject areas.
- Division wide ratios of students to teachers cannot be greater than:
 - 24:1 in kindergarten with no class being larger than 29 students
 - 24:1 in grades one, two and three with no class being larger than 30 students
 - 25:1 in grades 4-6 with no class being larger than 35 students
 - 24:1 in English classes in grades 6-12.
- School-wide ratios of students to teachers must be maintained at 21:1 in middle schools and high schools.
- All middle and high school teachers shall be provided with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.
- School boards shall employ a minimum number of licensed full-time instructional personnel per 1,000 students in average daily membership (ADM) with state and local basic aid, special education, and career and technical education as set forth in the Appropriation Act.
- School boards shall employ a minimum number of licensed full-time instructional personnel per 1,000 students who need prevention, intervention, and remediation.
- School boards shall employ 17 full-time equivalent instructional positions per 1,000 LEP students.
- School boards shall employ, at a minimum, the following full-time equivalent positions for any school that reports ADM: 1) full-time principals; 2) assistant principals; 3) librarians; 4) guidance counselors; and 5) clerical personnel.
- School boards shall employ five full-time equivalent positions per 1,000 students in grades K-5 to serve as elementary resource teachers in art, music, and physical education.
- School divisions shall employ two full-time equivalent positions per 1,000 students in grades K-12, one for technology support and one for instructional technology.
- Annually, on or before January 1, school boards must report to the public the actual pupil/teacher ratios (excluding resource personnel) in elementary school classrooms by school for the current year.

- The school board must provide support services necessary for operations including services provided by the school board members; the superintendent; assistant superintendents; student services (including guidance counselors, social workers, and homebound, improvement, principal's office, and library-media positions); attendance and health positions; administrative, technical, and clerical positions; operation and maintenance positions; educational technology positions; school nurses; and pupil transportation positions.

STANDARD THREE – Accreditation, other standards and evaluation.

- All schools within a division must be fully accredited.
- School boards must review the accreditation status of all schools annually in public session.
- School boards must submit corrective action (improvement) plans for any schools that have been designated as not meeting the criteria for determining effectiveness as defined by the Board (i.e., rated “Accredited with Warning”).
- If the school division has undergone a division-level academic review, the school board must submit a corrective action plan to the Board and must make the corrective action plan a part of the school division's long-range comprehensive plan.
- To assess the educational progress of students as individuals and as groups, school boards shall require the use of SOL assessments and other relevant data to evaluate student progress and to determine educational performance.
- School boards must analyze and report to the public annually the results from the Standards of Learning Assessments.

STANDARD FOUR – Student achievement and graduation requirements.

- School boards award diplomas to students, including those who transfer from nonpublic schools or home instruction, who earn the units of credit prescribed by the Board and meet such other requirements as may be prescribed by the local school board and approved by the Board.
- Provisions are made for students who transfer between secondary schools, non-public schools, and home instruction as outlined in the accreditation standards.
- Reasonable accommodations are provided for students with disabilities to meet the requirements for a diploma.

- School boards shall notify parents of rising eleventh- and twelfth-grade students of: (i) the number of standard and verified units of credit required for graduation, and (ii) the remaining number of such units of credit the individual student requires for graduation.
- School boards award special diplomas to students who have been identified as disabled who complete the requirements of their individualized education programs (IEPs).
- School boards notify the parents of students with disabilities who have an IEP and who fail to meet the requirements for graduation of the students' right to a free and appropriate education to age 21.
- School boards award certificates of program completion to students who complete a prescribed course of study as defined by the school board when they do not meet the requirements for a diploma.
- School boards must provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year to the parents of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the school board notifies the parent of the student's opportunity for a free public education to age 22.
- School boards report annually to the Board the number of industry certifications, and state licensure examinations passed, and reports the number as a category on the School Performance Report Card.

STANDARD FIVE – Quality of classroom instruction and educational leadership.

- Each school board member and superintendent must participate annually in high-quality professional development activities at the state, local, or national levels on governance.
- School boards must provide a program of high-quality professional development to instructional and administrative personnel.
- The school board must provide a program of high-quality professional development for teachers and principals related to instructional content, the preparation of tests and other assessment measures, methods for assessing the progress of individual students, instruction and remediation techniques in core subjects, interpreting test data for instructional purposes, and technology applications to implement the SOL.

- Schools and school divisions must include as an integral component of their comprehensive plans, high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these professional development programs.
- The school board annually reviews its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

STANDARD SIX – Planning and public involvement.

- School boards must revise, extend, and adopt a division wide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan is to be reviewed biennially and revised as necessary.
- The comprehensive plan is developed with staff and community involvement.
- School boards shall post such plans on the division's Web site if practicable, and/or make a hard copy of the plan available to the public, and conduct at least one public hearing to solicit public comment on the plan.
- The school division's plan includes:
 - The objectives of the school division including strategies for improving student achievement and an assessment of the extent to which these objectives are being achieved
 - A forecast of enrollment changes and a plan for projecting and managing enrollment changes
 - An evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions and a plan for implementing such regional programs and services when appropriate
 - A technology plan designed to integrate educational technology into the instructional programs of the school division
 - An assessment of the needs of the school division and evidence of community participation in the development of the plan
- The school division's plan includes:
 - Any corrective action plan required pursuant to the results of a division-level academic review
 - A plan for parent and family involvement to include building successful school and parent partnerships that shall be developed with staff and community involvement, including participation by parents

- Each school board must report to the public by November 1 of each odd-numbered year the extent to which the objectives of the division wide plan have been met during the previous two school years.
- Each school in the division prepares a comprehensive, unified, long-range plan considered by the board in developing the division wide comprehensive plan.

STANDARD SEVEN – School board policies.

- Each school board must maintain and follow an up-to-date policy manual that is reviewed at least every five years and revised as necessary. This manual is to be made available to the public.
- Each policy manual, which has been developed giving consideration to the views of teachers, parents, and other concerned citizens, includes:
 - A system of two-way communication between employees and the school board and its administrative staff
 - A policy for selection and evaluation of all instructional materials with clear procedures for handling challenged controversial materials
 - Standards of student conduct and attendance and procedures for enforcement
 - A policy for school-community communications and community involvement
 - Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for parents of children in grades K-3
- Each policy manual, which has been developed giving consideration to the views of teachers, parents, and other concerned citizens, includes:
 - Information about procedures for addressing concerns with the school division and recourses available for parents for a judicial review of a school board action as provided for in the *Code*
 - A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated
 - Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board, as provided in the *Code*, and the maintenance of copies of such procedures
- An annual announcement must be made at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that the policies are available for review.

STANDARD EIGHT - Compliance

- The school board must provide, as a minimum, the programs and services, as provided in the standards of quality, with state and local funds as apportioned by the General Assembly in the Appropriation Act and to the extent funding is provided by the General Assembly.
- The Board is required to identify, in its report to the Governor and General Assembly, any school divisions and the specific schools therein that have failed to establish and maintain schools meeting the SOQ.
- When the Board determines that a school division has failed or refused, and continues to fail or refuse, to comply with the SOQ, the Board may petition the circuit court to mandate or otherwise enforce compliance.

PREVIOUS BOARD OF EDUCATION AND GENERAL ASSEMBLY ACTION

In 2003 and 2004, the Board of Education made recommendations to revise the Standards of Quality. The 2003 recommendations included several technical and editorial changes to clarify and update the SOQ. The most significant of these changes included changing the titles of some of the standards to more accurately reflect their subject content; combining Standard 7 with Standard 6; moving sections within the standards or to another more appropriate standard or another section of the Code for clarity; removing requirements that are no longer applicable due to changes in federal or state law, or that are no longer feasible due to a shortage of resources; adding language about professional development; and updating language. The 2004 General Assembly enacted all of the recommended technical and editorial changes, except combining Standards 6 and 7, through HB 1762 and SB 779.

Additionally, the General Assembly has made some revisions to the standards that had not been recommended by the Board. Recommendations by the Board and actions by the General Assembly are detailed below under each individual standard.

Standard One – Instructional programs supporting the Standards of Learning and other educational objectives.

2004 Board Recommendations:

- The curriculum adopted by the local school board shall be aligned to the Standards of Learning.
- Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning, and meets or exceeds requirements of the Board of Education.
- Local school boards shall collect and analyze data, and use the results to evaluate and make decisions about instructional programs.

Theses recommended changes were all enacted by the 2005 General Assembly in HB 1762 and SB 779.

Standard Two – Instructional, administrative, and support personnel.

2003 Board Recommendations:

- Require one full-time principal in each elementary school. [The SOQ currently requires a half-time principal for elementary schools with fewer than 300 students.]
- Require one full-time assistant principal for each 400 students in each school. [The SOQ currently requires one half-time assistant principal at an elementary school with between 600 and 899 students and one full-time assistant principal at an elementary school with 900 or more students. The current middle and

secondary assistant principal standard in the SOQ is for one full-time assistant principal per 600 students in a school.]

- Fund elementary resource teachers in art, music, and physical education. The proposal would provide three periods per week for art, music, and physical education for students in grades K-5, assuming a 24:1 pupil-teacher ratio. This proposal translates into five instructional positions for every 1,000 students.
- Reduce the secondary school pupil to teacher funding ratio from 25:1 to 21:1 to support scheduled planning time for secondary teachers.
- Reduce the state required speech language pathologist caseload from 68 to 60 students.
- Fund two technology positions at 1 specialist per 1,000 students in grades K-12 division wide, one to provide technology support, and one to serve as a resource teacher for instructional technology.
- Require one full-time instructional position for each 1,000 students to serve as a reading specialist.
- Revise the funding formula for the SOQ prevention, intervention, and remediation program.

The following recommended changes were enacted by the 2004 General Assembly in HB 1014 and SB 479:

- Required local school boards to employ five positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education. (Effective July 1, 2005.)
- Required local school boards to assign instructional personnel in a manner that produced school wide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions were required to provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties. (Effective July 1, 2005.)
- Required local school boards to employ two positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher. (Effective July 1, 2005.)
- Established a funding formula for the prevention, intervention, and remediation program proposed by the Board. (Effective July 1, 2004.)

The 2004 Appropriation Act passed by the General Assembly changed the required number of full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency from 10 to 17, but no changes were made in the SOQ to reflect this language.

In 2004, the Board recommended that the language in the SOQ be changed to comport with the Appropriation Act requirement. Specifically, the Board recommended that “state funding, pursuant to the appropriation act, shall be provided to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.” This change was enacted by the 2005 General Assembly through

HB 1762 and SB 779. The bills also clarified provisions regarding the five positions per 1,000 students in kindergarten through grade five who serve as elementary resource teachers in art, music, and physical education and the two positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher to be full-time equivalent positions.

Standard Three – Accreditation, other standards and evaluation.

2004 Board Recommendations:

- Local school boards shall report the results of all school academic reviews and the required annual progress reports in public session. The local school board shall implement any actions identified through the academic review and utilize them for improvement planning.
- Each local school board shall require the use of data to evaluate student progress and determine and recognize educational performance.
- Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion.
- Each local school board shall analyze and report annually the results from students' industry certification examinations.

Theses recommended changes were all enacted by the 2005 General Assembly in HB 1762 and SB 779.

In addition, the following changes were made by the 2006 General Assembly, effective July 1, 2006:

- HB 348 and SB 39 authorize the Board to initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of tests.
- HB 813 permits the Board to adopt special provisions related to the administration and use of any Standards of Learning test or tests in a content area as applied to accreditation ratings for any period during which the Standards of Learning content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board of Education shall provide notice to local school boards regarding such special provisions.
- HB 1059 and SB 34 require the Board to make assessments publicly available in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the Web-based assessment system.

Standard Four – Student achievement and graduation requirements.

HB 19, passed by the 2006 General Assembly, directs the Board of Education to collect, analyze, and report high school graduation and dropout data using a standardized formula prescribed by the Board. The bill also permits the Board of Education to promulgate such regulations as may be necessary and appropriate to carry out its responsibilities under the legislation. The bill contains a delayed enactment clause providing that the amendments to § 22.1-253.13:4 will take effect October 1, 2008. A second enactment clause, which will take effect on July 1, 2006, requires the Board of Education to report to the House Committee on Education and the Senate Committee on Education and Health by December 1, 2006, on the formula to be used for the uniform assessment of high school graduation rates. In developing the formula, the Board is also required to consider the 2005 Report of the National Governors Association Task Force on State High School Graduation Data.

Standard Five – Quality of classroom instruction and educational leadership.

2004 Board Recommendations:

- Teacher evaluation reports shall be based on regular observation of the teacher in the classroom. The evaluations shall be based, in part, on evidence that instruction is aligned with the school division's written curriculum, and shall include identification of appropriate professional development tailored to each individual teacher's instructional needs.
- Each local school board shall require its members to participate annually in high-quality professional development on governance, including, but not limited to, personnel policies and practices; curriculum and instruction; use of data in planning and decision making; and current issues in education. [The current language requires annual participation in high quality professional development in personnel, curriculum, and current issues in education.]
- Local school boards shall provide teachers and principals with high-quality professional development programs each year in instructional content.
- Each local school board shall require all instructional personnel to participate each year in these high-quality professional development programs.
- Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

Theses recommended changes were all enacted by the 2005 General Assembly in HB 1762 and SB 779.

Standard Six – Planning and public involvement.

2004 Board Recommendations:

- The Board of Education’s statewide comprehensive, unified, long-range plan shall be based on data collection, analysis, and evaluation. [The current language required the Board of Education and local school boards to adopt six-year plans and for schools to prepare biennial plans. The proposed amendments would delete the specific time frames and, instead, would require comprehensive, unified, long-range plans.]
- The Board’s plan shall include strategies for improving student achievement, and then maintaining high levels of student achievement.
- Each local school board’s division wide comprehensive, unified, long-range plan shall be based on data collection, analysis, and evaluation.
- The local school board’s plan shall include, or be consistent with, all other division wide plans required by state and federal laws and regulations.
- The local school board’s plan shall include strategies for improving student achievement, and then maintaining high levels of student achievement.
- The local school board’s plan shall include provisions for parent and family involvement to include building successful school and parent partnerships.

Theses recommended changes were all enacted by the 2005 General Assembly in HB 1762 and SB 779.

Standard Seven – School board policies.

No changes have been made to this standard other than the technical and editorial changes recommended by the Board in 2003.

Standard Eight - Compliance

2004 Board Recommendations:

- Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.
- Noncompliance with the Standards of Quality shall be included in the Board of Education’s annual report to the Governor and the General Assembly.

Theses recommended changes were all enacted by the 2005 General Assembly in HB 1762 and SB 779.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND, VIRGINIA 23218-2120

SUPTS. MEMO NO. 12
March 24, 2006

ADMINISTRATIVE

TO: Division Superintendents

FROM: Patricia I. Wright
Acting Superintendent of Public Instruction

SUBJECT: Collection of Data Relative to Compliance with
the *Standards of Quality* for 2005-2006

Each year as a part of the annual report to the General Assembly on the condition and needs of public education in Virginia, the Board of Education is required to report the level of compliance by local school boards with the requirements of the *Standards of Quality* (SOQ). This requirement is in response to § 22.1-18 of the *Code of Virginia*. The information required to prepare the majority of this report is not available to the Department of Education from other sources. The complete text of the current standards can be found on our Web site at <http://www.doe.virginia.gov/VDOE/suptsmemos/2005/inf142b.pdf>.

This year, the department has developed an electronic data collection instrument, using the single sign on for Web application systems (SWSS). The following suggestions are offered that will help to expedite your collection and reporting of SOQ Compliance information:

1. Entering the data will require the use of an Internet browser. Internet Explorer 5.5 or higher or Netscape 6.0 or higher must be used. Please ensure the availability of either browser version at the site(s) at which data will be entered.
2. Earlier this year, a contact person in your division reported certain school information through the School and Staff Administration Data Collection (School ID). To eliminate delays in entering SOQ Compliance data, please have your school and staff administration contact person ensure that the name and contact information have been entered for the SOQ Compliance contact person.

3. If the school and staff administration contact person determines that information described above has been submitted incorrectly or that no information has been submitted, he or she must take the necessary steps to correct the information (using Web-based application directions provided in [Superintendent's Memorandum ADM No. 31](#)) at least one day prior to entering data in the SOQ Compliance application.

As with other electronic data collection applications, anyone entering or reviewing SOQ Compliance data must have a login and password. Your SSWS account manager must assign a login and password to the following individuals:

1. The SOQ Compliance contact person
2. Any central office staff responsible for entering or reviewing data

School divisions will be able to submit SOQ Compliance data to the department's database only if the above items are in place.

Additional information related to entering SOQ Compliance data:

- SOQ Compliance information is entered through the SSWS "SOQ Compliance" application.
- Instructions for answering questions and verification forms are available at the link below and through the SOQ Compliance application.
- In all instances, corrective action plans that may be required for issues of noncompliance are embedded in the SOQ Compliance application for use as the data are entered.
- The division's data must be submitted via the SWSS system to the Department of Education no later than May 9, 2006, in the manner prescribed by the directions on the Web site.
- After the division submits its data, the SOQ Compliance application window will lock. Superintendents needing to enter or correct data beyond that date must contact Michelle Vucci, director of policy, at (804) 225-2403, to regain access to the SOQ Compliance application. After all data have been entered, the system will generate a report of your responses in PDF format that you may print and keep for your records or that you may save to disk for future reference.

- The first page of the report must be signed by the division superintendent and chairman of the school board, and submitted to the Office of Policy no later than May 19, 2006. **Please do not send the entire report to the department.**

If you have questions regarding this submission, please do not hesitate to contact the Office of Policy and Communications at (804) 225-2403 or by e-mail to policy@doe.virginia.gov.

PIW/ADW/jcj

Attachments

<http://www.doe.virginia.gov/VDOE/suptsmemos/2006/adm012a.pdf>
<http://www.doe.virginia.gov/VDOE/suptsmemos/2006/adm012b.pdf>

Proposed Calendar for Board of Education (BOE) Actions Regarding Legislative Changes to the Standards of Quality

Date	Action To Be Taken
April 2006 planning session and BOE meeting	<ul style="list-style-type: none"> • Review of SOQ and discussion of Board recommended changes since 2003 – overview of what BOE initiatives have been funded and what initiatives have not been funded.
May 2006 SOQ committee meeting	<ul style="list-style-type: none"> • Presentations from affected groups (such as Virginia CARES, VASS, the VEA and others) on issues/concerns with the current SOQ. • Other presentations as necessary. • Other SOQ committee meetings scheduled, as needed.
June 2006 SOQ committee meeting	<ul style="list-style-type: none"> • Summarization of general themes presented by various groups during the May meeting. • Prioritization of themes to be incorporated in recommended changes. • Other presentations as necessary. • Consensus building on recommended changes. • Formulation of draft SOQ proposal. • Other SOQ committee meetings scheduled, as needed.
July 2006 BOE meeting	<ul style="list-style-type: none"> • Presentation of proposed SOQ changes for first review. • Commencement of public comment period for proposed SOQ changes. • Other SOQ committee meetings scheduled, as needed.
September 2006 BOE meeting	<ul style="list-style-type: none"> • Other SOQ committee meetings scheduled, as needed. • Public hearings regarding SOQ changes, as needed.
October 2006 SOQ committee meeting	<ul style="list-style-type: none"> • Committee to review and consider public comments. • Committee to determine additional changes to SOQ changes proposed at the July Board meeting.
November 2006 BOE meeting	<ul style="list-style-type: none"> • Presentation of proposed SOQ changes for final review.
December 2006	<ul style="list-style-type: none"> • Staff, on behalf of BOE, to prefile SOQ legislation with Division of Legislative Services.



Educational Programs Beyond the Standards of Quality

Presentation to the Board of Education

April 26-27, 2006

Daniel S. Timberlake
Assistant Superintendent for Finance

Summary

- 1. Overview of State Funds for Public Education**
- 2. Incentive Program Funding**
- 3. Categorical Program Funding**
- 4. School Facilities Program Funding**
- 5. Supplemental Education Program Funding**
- 6. Appropriated State Totals, 2006-2008**
- 7. Questions**

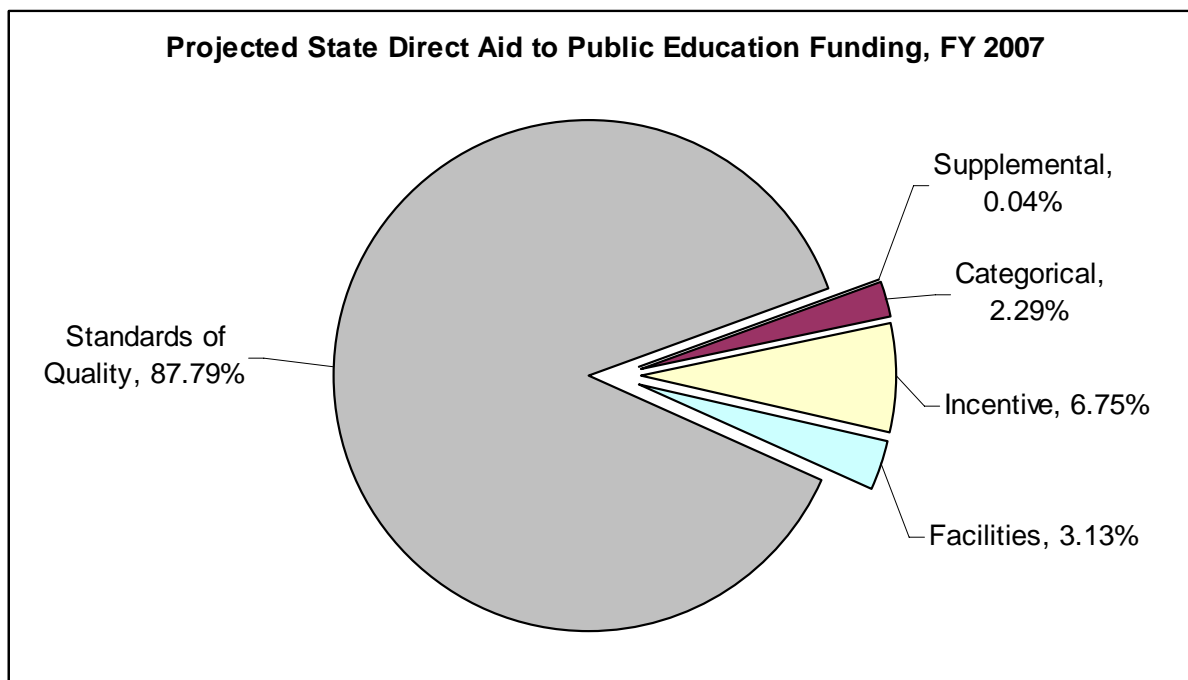
1. Overview of State Funds for Public Education

Information in this presentation is based on the Governor's 2006-2008 Budget for Direct Aid to Public Education as introduced on March 27, 2006, in HB/SB 5002.

State funding for K-12 public schools can be broken into five areas:

- **Standards of Quality**
 - The primary determinant of funding for school divisions
 - Approximately \$5.17 billion in fiscal year 2007
 - Approximately 87.79 percent of total state funds in fiscal year 2007
- **Incentive Programs**
 - Provides funding for additional voluntary programs
 - Approximately \$397.3 million in fiscal year 2007
 - Approximately 6.75 percent of total state funds in fiscal year 2007
- **Categorical Programs**
 - State or federal statutes or regulations mandate much of this funding
 - Approximately \$134.8 million in fiscal year 2007
 - Approximately 2.29 percent of total state funds in fiscal year 2007
- **School Facilities Programs**
 - Provides funding for school construction and nonrecurring expenses
 - Approximately \$184.4 million in fiscal year 2007
 - Approximately 3.13 percent of total state funds in fiscal year 2007
- **Supplemental Education Programs**
 - Serve unique purposes; provided to specific recipients usually designated in the appropriation act
 - Approximately \$2.4 million in fiscal year 2007
 - Approximately 0.04 percent of total state funds in fiscal year 2007

Standards of Quality funding are the primary source of state support for public education.



Note: Based on the Governor's 2006-2008 Budget for Direct Aid to Public Education as introduced on March 27, 2006, in HB/SB 5002.

2. Incentive Program Funding

- Incentive programs represent approximately \$397.0 million in fiscal year 2007 and \$459.0 million in fiscal year 2008; this represents approximately 6.75 percent of total state funding for Direct Aid.
- Incentive programs are voluntary programs, but in order to receive the state funds, school divisions must agree to meet additional requirements, such as:
 - Certifying that they will offer the specific program
 - Meeting the requirements established for the program
 - Providing a local match of funds
- Many of the formulas for these programs use a poverty adjustment that is based on free lunch eligibility rates as a proxy for students at-risk.
- Incentive programs can be separated into three broad categories:
 - Prevention/Intervention
 - Targeted Services
 - Supplemental Funding

Incentive Program Funding - continued

Prevention/Intervention Programs:

At-Risk

State payments for at-risk students are disbursed to school divisions based on the estimated number of federal free lunch participants in each division to support programs for students who are educationally at-risk. Funding is provided as a percentage add-on to Basic Aid to support the additional costs of educating at-risk students.

At-Risk Four-Year-Olds

The At-Risk Four-Year-Old program provides funding for programs for unserved, at-risk four-year-old children, which include quality preschool education, health services, social services, parental involvement, and transportation.

Early Reading Intervention

The Early Reading Intervention program is designed to reduce the number of students needing remedial reading services. Program funds are used by local school divisions for: special reading teachers; trained aides; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students.

ISAEP

An Individual Student Alternative Education Plan (ISAEP) may be developed when a student demonstrates substantial need for an alternative program, meets enrollment criteria, and demonstrates an ability to benefit from the program. The need is determined by a student's risk of dropping-out of school. Programs must comply with the provisions of §22.1-254D, *Code of Virginia*.

K-3 Primary Class Size Reduction

State funding is provided to school divisions as an incentive payment for reducing class sizes in grades Kindergarten through three below the required SOQ standard of a 24:1 pupil-teacher ratio, with no class larger than 29. Payments are based on the incremental cost of providing the lower pupil-teacher ratios and class sizes based on the lower of the statewide average per pupil cost of all divisions or the actual division per pupil cost. Schools with free lunch eligibility percentages of 16 percent and greater are eligible for funding. The required ratios range from 20:1, with no class larger than 25; and may go as low as 14:1, with no class larger than 19; based on the free lunch eligibility rate of the eligible school.

Incentive Program Funding - continued

Regional Alternative Education Programs

State funds for Alternative Education programs are provided for the purpose of educating certain expelled students and, as appropriate, students who received long-term suspensions from public schools, and students returned to the community from the Department of Juvenile Justice. Funding is based on the per pupil cost of an alternative program staffing model.

SOL Algebra Readiness

Funds programs designed to help students pass the algebra Standards of Learning test. This program uses math diagnostic tests to identify students who may need services. Funding is based on the estimated number of seventh and eighth grade students who are at-risk of failing the Algebra I end-of-course. Funding is based on the free lunch eligibility percentage for the school division.

Project Graduation

Project Graduation funds programs designed to assist eleventh and twelfth grade students with passing end-of-course Standards of Learning assessments in English/Reading, English/Writing, and Algebra I so that they may graduate with at least a standard diploma.

Education for a Lifetime

Teacher Incentives in Hard-to-Staff Schools

The purpose of the Teacher Incentives in Hard-to-Staff Schools project is to improve student achievement by attracting and retaining licensed, highly qualified, and experienced teachers in hard-to-staff middle or high schools through an incentives-based program.

Mentor Teacher Program in Hard-to-Staff Schools

The Mentor Teacher Program in Hard-to-Staff Schools provides additional funding for teacher mentoring programs to assist schools designated as hard-to-staff. Payments are based on the number of first-year teachers with no experience in hard-to-staff schools. Hard-to-staff schools are determined on the basis of applying eight criteria. In order to receive these funds, school divisions must use one of the three mentor programs currently being piloted in Virginia.

Virginia Middle School Teacher Corps

The purpose of the Virginia Middle School Teacher Corp is to provide incentives for school divisions to hire experienced, qualified mathematics teachers for middle schools that have been designated as “at risk” in mathematics as a result of being accredited with warning in mathematics or not meeting the annual measurable objectives in mathematics required for Adequate Yearly Progress (AYP) as defined in the No Child Left Behind act.

Incentive Program Funding - continued

Education for a Lifetime - continued

Virginia School Turnaround Specialist

The purpose of the Virginia Turnaround Specialist program is to train cadres of successful, experienced principals to turn around consistently low-performing schools. The program offers financial incentives to specialists who meet performance targets.

Race to GED

Race to GED includes two programs that dramatically shorten the time it takes to earn a GED. Students enrolled in “Fast Track GED” take an assessment that identifies their educational needs. A targeted study program allows Fast Track GED students to earn certificates in 90 days or less. “GED Prep” also includes an assessment and targeted study, with students earning a GED in 180 days. Race to GED contributes to the economic development of the commonwealth by increasing the number of adult Virginians with a high school-level credential. About 700,000 adult Virginians lack a high school diploma or GED. It is estimated that about 518,000 of the Virginia workers without a diploma have had at least some high school, making them potential candidates for Fast Track GED.

Targeted Services:

Education for a Lifetime

Virginia Virtual Advanced Placement School

The Virginia Virtual AP School ensures that students in all Virginia high schools have access to a variety of Advanced Placement (AP) courses that count for college degree credit. The Virginia Department of Education reimburses school divisions for tuition and test fees for students who sign an Early College Scholars Agreement. All instructors are fully licensed and have experience in distance learning. Courses are offered from a number of Virginia school divisions, including Henrico, Wise, York, Prince William, Montgomery and the Southwest Virginia Education and Training Network (SVETN). Apex Learning, a for-profit distance learning provider, provides four online courses.

Path to Industry Certification

This program enables high school students to earn an industry-recognized certification or professional license while in high school or immediately following graduation by enrolling in tuition-paid training at a Virginia community college. The program also enables career and technical education teachers to earn industry certifications through training academies. Participating students and their parents sign a Path to Industry Certification Compact agreeing that the student will complete all requirements for a standard or advanced studies diploma, including high school academic and/or career and technical education course requirements that lead to a selected industry certification.

Incentive Program Funding - continued

Governor's Schools

These programs give gifted and talented high school students an opportunity to attend school and study with fellow students of similar interest and abilities from across the Commonwealth. The schools offer specialized curriculum. State funds are provided to assist with the state share of the incremental costs of operations during the school year. These funds are not to be used for capital outlay, structural improvements, renovations, or fixed equipment costs. Funds may be used for the purchase of instructional equipment.

Mentor Teacher Program

This funding assists beginning teachers in making a successful transition into full-time teaching. The funds support implementation of best practice, research-based mentoring programs that are developed in collaboration with institutions of higher education. State funds are allocated on a per teacher basis for the number of new teachers without teaching experience in the school division. This funding is available to all schools with beginning teachers.

Special Education – In-Service

Special education in-service funding provides courses to teachers who have conditional special education licenses. These are teachers who are assigned to teach children with special needs resulting from learning disabilities, emotional disturbance, and/or mental retardation and who do not have the appropriate endorsement. Funds are distributed through a grant to higher education institutions for implementation of this program.

Special Education – Regional Tuition

Regional tuition reimbursement funding provides services for students with low-incidence disabilities who can be served more appropriately and less expensively in a regional program than in more restrictive settings. A joint or a single school division operates regional special education programs. These programs accept eligible children with disabilities from other local school divisions. All reimbursement is in lieu of the per pupil basic operation cost and other state aid otherwise available.

Special Education – Vocational Education

These funds are used to support a variety of activities designed to strengthen the preparation of disabled students who will enter the work place after completion of high school. Activities include vocational evaluation, training service through eight regional technical assistance centers, and initiatives to support employment.

Incentive Program Funding - continued

SOL Web Based Technology Initiative

The VPSA Technology program provides grant funding for school divisions to purchase additional technology to support the SOL Web-Based Technology Initiative. Eligible schools include those reporting membership as of September 30, as well as district and regional centers including vocational centers, special education centers, alternative education centers, academic year Governor's Schools, and the Schools for the Deaf and the Blind. The specific goals of the initiative include: 1) establishing a five to one student-computer ratio; 2) establishing internet-ready network capability in every school; 3) establishing high-speed, high-bandwidth capability to support instruction and remediation; and 4) establishing a statewide test delivery system.

Supplemental Funding:

Compensation Supplement

Compensation supplement funding covers the state share of cost (including fringe benefits) for a percentage-based salary increase for funded SOQ instructional and support positions and other state-supported positions.

Enrollment Loss

Enrollment loss funding is provided to school divisions with declining enrollment to offset some of the loss of funds associated with enrollment-based funding from Basic Aid within the Standards of Quality. Current and prior year adjusted average daily membership is used to calculate declining enrollment.

School Breakfast

Local school food authorities administer the School Breakfast Program at the local level. Participating schools must serve breakfasts that meet Federal nutrition standards, and must provide free and reduced-price breakfasts to eligible children. This funding provides an incentive to increase student participation in the school breakfast program and to leverage increased federal funding resulting from higher participation.

Supplemental Basic Aid

This program allows eligible school divisions to enter into certain cost-savings agreements with a contiguous school division for the consolidation or sharing of educational, administrative, or support services. Upon approval of the cost-savings agreement, the school division then receives the state share for Basic Aid computed on the basis of the composite index of local ability-to-pay of the contiguous school division if it is lower than their own index. Only school divisions with fewer than 350 students in ADM in the previous year are eligible for this funding.

3. Categorical Program Funding

- Categorical programs represent approximately \$135.0 million in fiscal year 2007 and \$139.0 million in fiscal year 2008; this represents approximately 2.3 percent of total state funding for Direct Aid.
- Categorical funding provides for additional education programs that go beyond the Standards of Quality.
- State or federal statutes or federal regulations mandate much of this funding. These programs are usually targeted to the particular needs of special student populations.

Categorical programs:

Adult Education

State funds are provided to improve educational opportunities for adults and to encourage the establishment of adult education programs that will enable all adults to acquire basic educational skills necessary to function in a literate society. The program also enables adults to complete secondary school, obtain a GED, or to benefit from job training and retraining programs.

Adult Literacy

State funds for Adult Literacy are appropriated to provide basic educational skills to adults who lack skills necessary for literate functioning.

Electronic Classroom

The Electronic Classroom program creates a statewide delivery of credit courses and staff development programs to address equity and educational disparity problems in schools across Virginia by providing access to courses that students might not otherwise be able to take in their home school division. The electronic classroom program is a distance-learning program that provides advanced level courses to students in areas of the Commonwealth where a qualified teacher is unavailable, or the number of qualifying students is too few to justify employment of a full-time teacher.

Categorical Program Funding - continued

Foster Care

Foster care funding reimburses school divisions for the cost educating students in foster care that are not residents of the school division. State funds are provided for prior year local operations costs for each pupil not a resident of the school division providing his education if the student has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether state or local, which is authorized under the laws of the Commonwealth to place children. Funds also cover children who have been placed in an orphanage or children's home which exercises legal guardianship rights, or who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home. Funds are also provided to support handicapped children attending public school who have been placed in foster care or other such custodial care across jurisdictional (school division) lines.

Indian Children

State funds are provided for qualified children from the Mattaponi and Pamunkey Indian tribes based on the Treaty of 1677 between Virginia and the Indians. These funds are used to assist in the costs of educating children living on the reservations and enrolled in public school. The funds are used to pay for the local cost of operation and school lunches.

School Nutrition

School divisions participating in the National School Lunch Program get cash subsidies and donated commodities from the U.S. Department of Agriculture for each meal they serve. The lunches must meet Federal requirements, and they must offer free or reduced-price lunches to eligible children. This state reimbursement program is required by the federal National Nutrition School Lunch Program and the After School Snack Program. Reimbursements are based on the number of meals served in the prior year.

Special Education – Homebound

Homebound funding provides for the continuation of educational services for students who are temporarily confined to their homes for medical reasons. State funds reimburse school divisions for a portion of the hourly rate paid to teachers employed to provide homebound instruction to eligible children.

Special Education – State Operated Programs

Education services are continued for students placed in state-operated facilities. State statute requires the state to provide appropriate education to all children in state hospitals, clinics, detention homes, and the Woodrow Wilson Rehabilitation Center. Education services are provided through contracted services with local school divisions. Funded positions are based on caseloads. A funding amount per position (to cover both personal and non-personal costs) is applied to each position to determine the total amount of funding for each division that provides education services in state operated programs.

Categorical Program Funding - continued

Special Education – Local Jails

Local school divisions are reimbursed for the instructional costs of providing special education and related services to children with disabilities in regional or local jails.

Vocational Education – Categorical

Career and technical allocations for equipment are used in the following areas: Agricultural Education; Business and Information Technology; Career Connections; Family and Consumer Sciences; Health and Medical Science Education; Marketing; Technology Education; and Trade and Industrial Education. Funds are also used to provide a portion of the salary of principals and assistant principals at division vocational technical centers and assistant principals at regional vocational centers, which are not required by the Standards of Quality, and therefore are not funded through the Standards of Quality. These funds also pay a portion of the cost of extended contracts for vocational teachers.

4. School Facilities Program Funding

- School facilities represent approximately \$184.4 million; this represents 3.1 percent of total state funding for Direct Aid in each year of the biennium.
- State law permits school divisions to transfer funds from either of the school facilities programs to escrow accounts where they can be held until spent for the allowed purposes.

School facilities programs:

School Construction Grants Program

The School Construction Grants Program provides grant funding to school divisions for nonrecurring expenditures, including: school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, payments to escrow accounts, school safety equipment or renovations, and debt service payments on school projects completed during the last ten years.

State Lottery

Funds are provided to local school divisions to support the state share of the lottery per pupil amount. No more than 50 percent of lottery funds can be used for recurring costs and at least 50 percent must be spent on nonrecurring expenditures, including school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last ten years.

5. Supplemental Education Program Funding

- Supplemental education programs represent approximately \$2.4 million in fiscal year 2007 and \$1.9 million in fiscal year 2008. These programs make up approximately 0.04 percent of total state funding for Direct Aid in each year of the biennium.
- Supplemental education programs are not available to school divisions statewide, and serve a unique purpose as stated in the appropriation act.

Supplemental education programs:

Jobs for Virginia Graduates

The Jobs for Virginia Graduates program assists high school students who are economically disadvantaged and provides additional support that enables them to graduate and secure and retain quality jobs. The school division must use grant funds to employ a job specialist who will work directly with 35 to 45 students who meet the program criteria.

Project Discovery

Project Discovery is designed to improve minority and low-income students' access to a college education and to reduce these students' dropout rate. Participating students must meet one or more poverty criteria. The project allows students in grades 6 to 12 to visit college campuses and attend workshops on goals, study skills, financial aid, and college selection. It also provides them with academic support, counseling, cultural enrichment activities, and an SAT fee waiver. Allocations are on a per pupil basis for students enrolled in the program.

Small School Division Assistance

These funds are provided to Norton City. To receive the funds, the local school board must certify to the Superintendent of Public Instruction that the division has entered into one or more educational, administrative, or support service cost-sharing arrangement with another local school division.

Supplemental Education Program Funding - continued

Southside Virginia Regional Technology Consortium

The Southside Virginia Regional Technology Consortium assists participating school divisions with coordinating the acquisition and effective utilization of viable and up-to-date technologies for K-12 students and other citizens in the communities to enhance learning at all levels and encourage economic development in Southside Virginia. Participating school divisions include Bland, Buchanan, Carroll, Dickenson, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe counties, and the cities of Bristol, Galax, and Norton.

Southwest Virginia Public Education Consortium

Funding is provided to support the Southwest Virginia Education Consortium located at the University of Virginia's College at Wise. This consortium coordinates the development and sharing of programs, education techniques, and resources among and between the region's school divisions and institutions of higher education to enhance the educational opportunities of students and teachers in Southwest Virginia.

Virginia Career Education Foundation

Grant funding is provided for the Virginia Career Education Foundation, which raises funds and lends support for initiatives that promote quality technical programs and raise the level of awareness for technical careers in Virginia. The Virginia Career Education Foundation focuses its efforts primarily on initiatives that are geared toward middle and high school students.

Van Gogh Outreach Program

A program for second graders, Van Gogh Outreach provides SOL-based curriculum enrichment for school divisions in Southwest Virginia. Using the study of world cultures as a planning focus, art instructors teach math, science, geography, social studies and history through art.

Communities in Schools

Communities In Schools is a national, community-based, non-profit organization focusing on dropout prevention. Communities In Schools links community resources with schools, and brings community members into schools to address children's unmet needs. The state funds provide required matching funds.

6. Appropriated State Totals, 2006-2008 Biennium

2006-2008 DIRECT AID TO PUBLIC EDUCATION

Based on the Governor's 2006-2008 Budget for Direct Aid to Public Education
(As introduced on March 27, 2006, in HB/SB 5002)

Appropriated State Totals

		FY 2007 State Share	FY 2008 State Share
I.	Basic Aid ¹	2,914,171,267	2,905,298,669
	Sales Tax	1,266,460,000	1,336,490,000
	Textbooks	68,624,503	69,174,309
	Vocational Education	60,819,705	61,211,769
	Gifted Education	27,832,572	28,055,387
	Special Education	339,783,294	342,060,025
	Remedial Education ²	61,744,796	61,744,937
	VRS Retirement	202,998,932	204,557,925
	Social Security	159,121,606	160,349,864
	Group Life	10,186,079	10,262,685
	English as a 2nd Language	31,816,457	38,161,251
	Remedial Summer School	24,659,975	25,496,999
Subtotal - SOQ:		5,168,219,186	5,242,863,820
II.	Lottery ³	156,940,845	156,940,845
	School Construction	27,499,995	27,500,004
Subtotal - Facilities:		184,440,840	184,440,849
III.	Alternative Education	6,213,366	6,400,425
	At-Risk	63,443,910	63,263,936
	At-Risk Four-Year-Olds	46,304,352	47,230,439
	Compensation Supplement	74,998,798	129,658,378
	Early Reading Intervention	11,859,709	11,955,475
	Enrollment Loss	7,797,637	7,976,037
	Governor's School	12,344,132	12,639,912
	ISAEF	2,247,581	2,247,581
	K-3 Primary Class Size	83,788,567	83,828,570
	School Breakfast Program	1,172,020	1,172,020
	SOL Algebra Readiness	8,442,174	8,472,034
	Special Education - Regional Tuition	59,989,862	66,397,321
	Supplemental Basic Aid	532,976	530,395
	Mentor Teacher	1,475,000	1,475,000
	No Child Left Behind/Education for a Lifetime	13,153,734	12,592,252
	Project Graduation	2,774,478	2,774,478
	Special Education - In-service	600,000	600,000
	Special Education - Vocational Education	200,089	200,089
Subtotal - Incentive:		397,338,385	459,414,342

2006-2008 DIRECT AID TO PUBLIC EDUCATION

Based on the Governor's 2006-2008 Budget for Direct Aid to Public Education
(As introduced on March 27, 2006, in HB/SB 5002)

Appropriated State Totals – Continued

		FY 2007 State Share	FY 2008 State Share
IV.	Adult Education	1,051,800	1,051,800
	Electronic Classroom	2,256,908	2,256,908
	Foster Care	11,109,888	12,047,112
	School Food	5,801,932	5,801,932
	Special Education - Homebound	6,504,072	7,171,223
	Special Education - Jails	2,868,499	2,954,553
	Special Education - Hospitals	29,593,951	30,962,505
	Vocational Education - Categorical	10,100,829	10,100,829
	Adult Literacy	2,655,000	2,655,000
	American Indian Treaty Commitment	53,805	53,805
	Debt Service on VPSA Equipment Notes	62,763,354	64,058,916
	Subtotal - Categorical:	134,760,037	139,114,583
V.	Jobs for Virginia Graduates	400,000	400,000
	Project Discovery	900,000	900,000
	Small School Division Assistance	200,000	200,000
	Southside Virginia Technology Consortium	100,000	100,000
	Virginia Public Education Consortium	200,000	200,000
	Virginia Career Education Foundation	50,000	50,000
	Van Gogh Outreach Program	97,750	97,750
	Communities in Schools	500,000	-
	Subtotal - Supplemental:	2,447,750	1,947,750
GRAND TOTAL:		5,887,206,197	6,027,781,344

¹ Basic Aid total includes lottery transfer amount.

² Remedial Education total includes lottery transfer amount.

³ Lottery total includes local distribution only. Basic Aid and Remedial Education transfers are deducted from the appropriated total.